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Remarks

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing Amendment to the Claims, claims 1-6, 8-17, and 19-20 are pending in the application, of which claims 1, 10, and 13 are independent. By the foregoing Amendment, claims 1, 4, 5, 8-10, 13-16 and 19-20 are sought to be amended. Claims 7 and 18 are sought to be cancelled. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

Rejection under 35 U.S.C. § 103

The Examiner, in paragraph 3 of the Office Action has rejected claims 1-2, 5-7, 9-13, 15-18, and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,739,820 to Lyon in view of U.S. Patent No. 6,539,445 to Krum and in view of U.S. Patent No. 6,362,836 to Shaw *et al.* (hereinafter "Shaw"). Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Regarding independent claim 1, the Examiner states that Lyon teaches Applicants' element of "creating a scaled-down representation of application input data to a compute-intensive application to determine costs to run the compute-intensive application." Applicants respectfully disagree. Unlike the present invention, which teaches a method for providing an accurate price quote to a customer for utilization of a CPU farm prior to that utilization, Lyon teaches "[a] method and system for

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approximating a Phong shading calculation for 3D renderings of realistic graphic images.” *Lyon*, Abstract. Referring to independent claim 1, *Lyon* does not teach or suggest Applicants’ element of “creating a scaled-down representation of application input data to a compute-intensive application to determine costs to run the compute-intensive application.” Instead, *Lyon* teaches a new model that uses a modest number of multiplies and additions to approximate a prior art calculation taught by Phong that required divides, square roots, and powers. Thus, unlike the present invention which teaches creating a scaled-down representation of application input data to a compute-intensive application to determine costs to run the compute-intensive application, *Lyon* teaches eliminating the need for divides, square roots, and powers, and replacing these mathematical operations with multiplies and additions to approximate the new Phong shading calculation. *See Lyon*, Abstract; col. 1, lines 40 - 50. Further, unlike the present invention, *Lyon* teaches using approximate normalization, vector differences, and polynomial shape functions to simplify the processing and improve performance (*Id.*), not to determine costs to run the compute-intensive application, as recited in claim 1.

The Examiner also states that *Krum* discloses limitations recited in independent claim 1 that are not shown by *Lyon*. Applicants respectfully disagree. *Krum* does not solve the deficiencies of *Lyon*. *Krum* does not appear to teach or suggest Applicants’ element of “creating a scaled-down representation of application input data to a compute-intensive application to determine costs to run the compute-intensive application.” Instead, *Krum* teaches a method for processing requests to service computational tasks. *Krum*, Abstract, col. 2, lines 53-54.

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The Examiner further states that Shaw discloses Applicants' element of "calculating ... an actual cost to a customer to run the compute-intensive application with the input, on one or more processors, based on the calculated computing requirement; and sending the turn-around time and the actual cost to the customer's client software." Applicants respectfully disagree. Shaw does not solve the deficiencies of Lyon and Krum. Like Lyon and Krum, Shaw does not teach or suggest Applicants' element of "creating a scaled-down representation of input to a compute-intensive application to determine costs to run the compute-intensive application."

Shaw also does not teach or suggest Applicants' element of "calculating ... an actual cost to a customer to run the compute-intensive application with the input, on one or more processors, based on the calculated computing requirement." Unlike the present invention, which discloses a method for providing an accurate price quote to the customer to run a compute-intensive application on a CPU farm (*see Specification*, page 2, line 30 – page 3, line 1; page 5, line 8 – page 6, line 34), Shaw appears to teach "[t]he cost of executing a display request on the client device" (*Shaw*, col. 17; line 32 – col. 18, line 37). Thus, instead of providing the cost for executing a compute-intensive application with the input, on one or more processors [on a CPU farm], Shaw discloses the cost of executing a display request on the client device.

Thus, for at least the above reasons, Applicants respectfully submit that claim 1, and the claims that depend therefrom (claims 2-6 and 8-9), are patentable over Lyon, Krum, and Shaw, separately or in combination.

Independent claims 10 and 13 include similar elements to independent claim 1. Thus, for at least the reasons stated above, independent claims 10 and 13, and the claims

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that depend therefrom (claims 11-12 and 14-17 and 19-20, respectively), are patentable over Lyon, Krum, and Shaw, separately or in combination.

Thus, neither Lyon, nor Krum, nor Shaw, separately or in combination, teach or suggest Applicants' claimed invention as recited in independent claims 1, 10, and 13. For at least the reasons stated above, claims 1, 10, and 13, and the claims that depend therefrom (claims 2-6 and 8-9, claims 11-12, and claims 14-17 and 19-20, respectively), are patentable over the cited references. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 10, and 13, and the claims that depend therefrom (claims 2-6 and 8-9, 11-12, and 14-17 and 19-20, respectively).

The Examiner, on page 8 of the Final Office Action, has rejected claim 3 under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,739,820 to Lyon in view of U.S. Patent No. 6,539,445 to Krum in view of U.S. Patent No. 6,362,836 to Shaw *et al.* (hereinafter "Shaw") and in view of U.S. Patent No. 6,336,087 to Burgun *et al.* (hereinafter "Burgun"). Applicants respectfully disagree. Claim 3 depends from independent claim 1 and is patentable over Lyon, Krum, and Shaw for at least the reasons stated above. Furthermore, Burgun does not teach or suggest the features missing from Lyon, Krum, and Shaw. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of dependent claim 3.

The Examiner, on page 9 of the Final Office Action has rejected claims 4 and 14 under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,739,820 to Lyon in view of U.S. Patent No. 6,539,445 to Krum in view of U.S. Patent No. 6,362,836 to Shaw *et al.* (hereinafter "Shaw") and in view of U.S. Patent No. 6,600,836 to Thyagarajan *et al.* (hereinafter "Thyagarajan"). Applicants respectfully disagree. Claim 4 depends from

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independent claim 1, claim 14 depends from independent claim 13, and both are patentable over Lyon, Krum, and Shaw for at least the reasons stated above. Furthermore, Thyagarajan does not teach or suggest the features missing from Lyon, Krum, and Shaw. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 4 and 14.

The Examiner, on page 10 of the Final Office Action has rejected claims 8 and 19 under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,739,820 to Lyon in view of U.S. Patent No. 6,539,445 to Krum in view of U.S. Patent No. 6,362,836 to Shaw *et al.* (hereinafter "Shaw") and in view of U.S. Patent No. 5,854,752 to Agarwal. Applicants respectfully disagree. Claim 8 depends from independent claim 1, claim 19 depends from independent claim 13, and both are patentable over Lyon, Krum, and Shaw for at least the reasons stated above. Furthermore, Agarwal does not teach or suggest the features missing from Lyon, Krum, and Shaw. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 8 and 19.

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Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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